
REPORT OF CABINET

MEETING HELD ON 13 NOVEMBER 2008

Chairman: * Councillor David Ashton

Councillors: * Marilyn Ashton * Barry Macleod-Cullinane
 * Miss Christine Bednell * Chris Mote
 * Tony Ferrari * Paul Osborn
 * Susan Hall * Mrs Anjana Patel

* Denotes Member present

[Note: Councillors Navin Shah and Bill Stephenson also attended this meeting to speak on the item indicated at Minute 516 and 528 respectively below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

513. **Declarations of Interest:**

RESOLVED: To note that no interests were declared by Members present in relation to the business to be transacted at the meeting.

514. **Minutes:**

RESOLVED: That the minutes of the meeting held on 23 October 2008, be taken as read and signed as a correct record.

515. **Arrangement of Agenda:**

RESOLVED: That all business be considered with the press and public present.

(See also Minute 528)

516. **Petitions:**

1. The Leader of the Council reported that a petition containing 142 signatures had stood referred to Cabinet. He read the terms of the petition to the meeting which were as follows:-

“We, the undersigned, would like to petition Councillors to reinstate the Fair Trade Steering Group so that Harrow could stand a chance of becoming a Fair Trade Borough.”

RESOLVED: That (1) the petition be received and noted; and

(2) be considered in conjunction with the Motion referred by Council which appeared elsewhere on the agenda.

2. Councillor Navin Shah presented a petition which contained 174 signatures in relation to Arts and Performance provision. He read the terms of the petition to the meeting which were as follows:-

“We the undersigned residents strongly urge Harrow Council, as a matter of urgency, to re-open the former Gayton Road Library for use as a temporary Art Gallery and associated activities.

We further ask the Council to prepare a feasibility study for the development of the Gayton Road Library Site and adjoining sites (Sonia Court and Public Car Park) for a mixed use development incorporating an Art Gallery, Performance Space, combined Central and Reference Library, residential use together with a replacement public car park.”

RESOLVED: That the petition be received and referred to the Leader of the Council for consideration, in consultation with the Portfolio Holders for Community and Cultural Services and Major Contracts and Property.

(See also Minute 528).

517. **Public Questions:**

RESOLVED: To note that the following public question had been received:

1.

Questioner: Mr Don Reuben

Asked of: Councillor David Ashton, Leader of the Council and Portfolio Holder for Strategy, Partnership and Finance

Question: **“Sports Pavilion Honeypot Lane**

What does Harrow Council intend to do with the building /playing fields if it is not let to any community groups and would the Council consider another building if this one does not materialise for a Community Group?”

Answer: This question obviously relates to an item on the agenda which is agenda item 14, whereby we are considering the future of Whitchurch Pavilion.

Assuming that Cabinet approves the Officer recommendations, we are hopeful that there is strong interest of a number of groups to refurbish the rather dilapidated Whitchurch Pavilion. We hope there will be a successful bid and a proper development of the site.

The Whitchurch Playing Field is a substantial sports and leisure facility and obviously would need all the associated changing rooms, showers and all those sort of things and also a community group as well. So current planning is based, therefore, on the assumption that the buildings on the site will be utilised to support leisure and sports activity.

Supplemental Question: Well, it's quite complex really without a greater review of the report. I just think the best way forward is discuss it and then see about the bid because it looks like it's not going to be advantageous to sell it anyway because you've got Section 123 which curtails you of the act. So I think the best thing is to wait for the discussion and then put it forward to bid.

Supplemental Answer: Okay, you're very welcome to do that. I will look forward to that Don.

518. **Councillor Questions:**

RESOLVED: To note that no Councillor Questions had been received.

519. **Forward Plan 1 November 2008 - 28 February 2009:**

RESOLVED: To note the contents of the Forward Plan for the period 1 November 2008 – 28 February 2009.

520. **Progress on Scrutiny Projects:**

The Chairman reported that the scrutiny review of the voluntary sector was almost complete and was to be welcomed. He added that the Executive would respond positively to the work of scrutiny.

RESOLVED: To receive and note the current progress on the Scrutiny Reports.

521. **Calendar of Meetings 2009/10:**

The Portfolio Holder for Strategy, Partnership and Finance introduced the report, which set out proposals for the Council's Calendar of Meetings for the Municipal Year 2009/10. He advised that he had been notified of several issues requiring further

consideration, including that one Council meeting was currently scheduled during a half term.

RESOLVED: That (1) the Calendar of Meetings for the Municipal Year 2009/10 be approved, subject to any necessary minor changes;

(2) the Director of Legal and Governance Services be authorised to make minor changes to the Calendar, if appropriate.

Reason for Decision: The Calendar of Meetings was approved on an annual basis at this time of the year for the succeeding Municipal Year. Advance approval of the Calendar facilitated the planning and forward commitments of both Members and officers.

522. **Key Decision - Council Customer Service Standards, Council Complaints and Access to Service Review:**

The Portfolio Holder for Performance, Communication and Corporate Services introduced the report, which set out the overall programme of work for improving customer service within the council as a whole. In particular, attention was drawn to the new Council Customer Service Standards and the Council Complaints and Compliments Policy. It also briefly discussed some of the work being done to understand the Council's customers to help improve service delivery.

In introducing the report, the Portfolio Holder referred to the use of mystery shoppers and a reduction in the use of jargon.

RESOLVED: That (1) the report be noted and endorsed;

(2) the new Council customer service standards be adopted;

(3) the new Council complaints and compliments policy be adopted;

(4) the summary customer service improvement plan be noted.

Reason for Decision: The comprehensive customer service improvement plan responded to the Access to Services Inspection. The council's performance and satisfaction levels would be greatly improved once the outputs of the plan were implemented and embedded across the council. Failure to implement might result in consistently low council ratings.

523. **Council Minute Volume:**

The Portfolio Holder for Performance, Communication and Corporate Services introduced the report, which sought Cabinet approval to discontinue the production of the Council's monthly bound minute volume. He added that further work would be done to reduce the amount of paper used by the Council.

RESOLVED: That the Director of Legal and Governance Services be instructed to cease the production of the Council's monthly bound minute volume with effect from November 2008.

Reason for Decision: The minutes of all Council meetings were published on the Council's website and circulated on the relevant agenda for the following meeting. Minutes from 2000 are available on the Council's web site.

524. **Timetable for the Preparation and Consideration of Statutory Plans 2008/09 - Variation:**

The Portfolio Holder for Strategy, Partnership and Finance introduced the report, which advised that on 15 May 2008, Cabinet had agreed the timetable for preparation and consideration of statutory plans. There was now a need to vary the timetable in respect of one plan, the Sustainable Community Plan.

RESOLVED: That the timetable for the preparation and consideration of the Sustainable Community Plan be varied as set out in paragraph 2.1.5 of the Director of Legal and Governance Services' report.

Reason for Decision: Cabinet had previously agreed the timetable in order to comply with the requirements of paragraph 3 of the Budget and Policy Framework Procedure Rules set out in Section 4C of the Council's Constitution. It had therefore been necessary to seek Cabinet's agreement to vary the timetable.

525. **Key Decision - Council Implications of Establishing a Harrow Business Improvement District in Harrow Town Centre:**

The Portfolio Holder for Planning, Development and Enterprise introduced the report, which set out implications of the proposals to establish a Business Improvement District (BID) in Harrow Town Centre for the Council. The report proposed new revenue and management arrangements for St Ann's Road and set out future costs and roles for the Council if a positive vote was obtained and the BID went ahead. She advised that if the BID went ahead, it would help Harrow to compete with other shopping areas and that she was hopeful that Harrow businesses would vote to support the BID.

RESOLVED: That (1) St Ann's Road Management: the proposed arrangements between the Harrow BID Company and Harrow Council in relation to the management of St Ann's Road and the revenue sharing arrangements be agreed;

(2) Levy on Council Properties: the liability to pay the BID Levy on town centre car parks be noted and these contributions be paid in anticipation of a positive vote being agreed;

(3) Harrow BID proposals: the contents of the Harrow BID Consultation Draft document be noted;

(4) BID Vote: it be noted that the Council would be entitled to vote on the BID proposals and the necessary arrangements made within the Council;

(5) BID Board: it be noted that the BID Company had asked that the Portfolio Holder for Planning, Development and Enterprise and a Council officer represent the Council on the BID Board;

(6) Policy Check: it be noted that the required policy check on the BID proposals would be undertaken at Cabinet in December 2008.

Reason for Decision: To show Council support for the BID proposals both in principle and through the identification of appropriate funding.

526. **Key Decision - Whitchurch Pavilion and Playing Fields:**

The Portfolio Holder for Community and Cultural Services introduced the report, which set out the options available to the Council to secure the refurbishment / replacement of Whitchurch Pavilion, the maintenance of Whitchurch Playing Fields and the enhanced provision of sports, leisure and community use through a Partner Development Project.

In response to a question, the Leader of the Council advised that he would ensure that the advertising for expressions of interest was carried out appropriately.

RESOLVED: That the Corporate Director of Community and Environment Services

(1) commence a tendering exercise seeking, in the first instance, expressions of interest for the leasing of the Pavilion and Playing fields to a community user conditional upon refurbishment / replacement of the pavilion and a Service Level Agreement (SLA) providing for local resident access to the enhanced sporting facilities;

(2) be authorised to consider the merits of all initial expressions of interest on the basis of notional proposals prior to seeking further detailed proposals and business model from a short listed group;

(3) be authorised, upon receipt of detailed proposals, to report back to Cabinet with all expressions of interest and the further detailed proposals from the second round of bidders with Officer recommendations.

Reason for Decision: To attract robust and sustainable business plans from local community users that would provide for the Pavilion being brought back into use or replaced at no cost to the Council and run in conjunction with the existing playing fields.

(See Minute 517).

527. **Key Decision - Petts Hill Bridge and Highway Improvement Scheme Land Acquisition:**

The Portfolio Holder for Major Contracts and Property introduced the report, which sought authority to purchase, by Compulsory Purchase if necessary, a strip of land in Northolt Road close to the junction with Petts Hill to facilitate the road and bridge

improvement scheme. He advised that it was hoped that the Compulsory Purchase Order would not be necessary and that agreement could be reached with the landowner.

RESOLVED: That (1) the acquisition by the Council of the land at 505 Northolt Road, South Harrow, as shown hatched in red on the plan attached to the report, from the owners and occupiers on terms to be agreed by the Corporate Director of Community and Environment Services, be approved;

(2) if terms could not be agreed with the owners or occupiers, the making of a Compulsory Purchase Order to acquire the land under the Highways Act 1980 and the Acquisition of Land Act 1981, for the purpose of the road and bridge scheme as outlined in the report of the Corporate Director of Community and Environment, be authorised;

(3) the Corporate Director of Community and Environment Services be authorised to make minor variations to the plan to be attached to the Compulsory Purchase Order;

(4) the Director of Legal and Governance Services be authorised to make and seal the Compulsory Purchase Order and to submit it for confirmation to the Secretary of State;

(5) the Director of Legal and Governance Services be authorised to sign all notices and orders in connection with the Compulsory Purchase Order and, if objections were received, make arrangements for public inquiries and take all action in connection with the inquiries, including the appointment of Counsel;

(6) the Director of Legal and Governance Services be authorised to make General Vesting Declarations under the Compulsory Purchase (Vesting Declarations) Act 1981 in the event of the Compulsory Purchase Order being confirmed and/or serve notices to treat and notices of entry and to take all other requisite steps pursuant to the compulsory acquisition procedures to obtain possession of the properties if it was considered appropriate to do so, and to deal with any compensation issues, if necessary, by way of reference to the Lands Tribunal

Reason for Decision: To enable officers to secure land that was required for the scheme.

528. **Any Other Urgent Business - Motions referred to the Executive by Council on 30 October 2008:**

Cabinet considered two motions referred from Council on 30 October 2008, as a matter of urgency, for the reasons set out on the supplemental agenda.

1. Climate Change/Nottingham Declaration

In accordance with Executive Procedure Rule 20, Councillor Bill Stephenson submitted a request to speak on this Motion. This request was not agreed.

In response to the Motion, the Portfolio Holder for Environment Services and Community Safety made a number of comments including that:-

- Harrow was the second best authority for recycling in London;
- electric vehicles were used for cleaning in the town centre;
- the new refuse vehicles had reduced emissions;
- there was an approved school travel plan;
- there was a Biodiversity Strategy in place;
- the Council was working well with Partners and residents.

The Portfolio Holder for Planning, Development and Enterprise advised that the Council was promoting the Nottingham Declaration and was trying to exceed its' requirements. She referred to the Core Strategy.

The Divisional Director of Environment Services advised that the Council had signed the Declaration, which related to local authorities, and had a number of actions in place. He added that there would a report submitted to Cabinet in January 2009.

The Leader of the Council indicated that the Council was doing all it needed to in relation to this matter and that it was important to have the support of the Harrow Strategic Partnership.

RESOLVED: That the Motion be received and noted.

2. Fairtrade

The Chairman advised that the Council did promote the Fairtrade mark and undertook to establish, through officers, a Fairtrade Steering Group. He indicated that he would Chair the Group.

RESOLVED: To (1) receive and note the Motion;

(2) note that a Fairtrade Steering Group would be established.

Reason for Decisions: Council had referred the Motions to Cabinet for consideration.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.00 pm).

(Signed) COUNCILLOR DAVID ASHTON
Chairman